



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"Enriching Lives"

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ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE

REFER TO FILE: **EP-1**

March 3, 2004

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**HEARING ON PROPOSED REVISION TO
STORMWATER AND RUNOFF POLLUTION CONTROL PROGRAM
ALL SUPERVISORIAL DISTRICTS
4 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD AFTER THE PUBLIC HEARING:

1. Find that the proposed Ordinance (Enclosure A) is categorically exempt under Class 8 of the Environmental Guidelines approved by your Board.
2. Adopt the proposed Ordinance amending the County Code, Title 12, Environmental Protection, Chapter 12.80, relating to establishment of permits and fees charged for various services under the County Stormwater and Runoff Pollution Control Program.
3. Approve the enclosed Appropriation Adjustment (Enclosure B) for \$116,000 to provide additional funding for two additional Waste Control Engineering Inspector positions for the fraction of the remainder of Fiscal Year 2003-04 in the County Engineer General Fund Budget. The cost in the increased level of service will be fully offset by the proposed fees.
4. Approve Ordinance authority for two additional positions identified in number 3, pursuant to Section 6.06.020 of the County Code, subject to approval by the Department of Human Resources.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Pursuant to the Federal Clean Water Act and the Porter-Cologne Water Quality Control Act, the County was issued National Pollutant Discharge Elimination System Permit No. CAS004001 for Municipal Storm Water and Urban Runoff Discharges within the County of Los Angeles. Under the Permit, the County is required to implement additional, new requirements to establish a Program of pollutant reduction and control measures at industrial and commercial facilities. The County is required to track, inspect, and ensure compliance at industrial and commercial facilities within the unincorporated areas that are critical sources of pollutants in stormwater runoff. These mandates will require additional resources to meet the time schedule specified in the Permit. The proposed Ordinance revises the County Stormwater and Runoff Pollution Control Ordinance to establish a regulatory Program and fees to accomplish the mandates of the Permit.

Public Works has conducted an outreach program and public information meeting to gather public input on the proposed regulatory Program and fees. Concern was expressed that businesses that are subject to State-issued General Industrial Activity Storm Water Permits may be subject to duplicate permits under the proposed Program. The proposed Ordinance exempts holders of the State permit from new County permit fee requirements. Based on the comments received, Public Works finds the proposed fee schedule best represents the equitable distribution of Program costs to the service users.

Approval of the proposed Ordinance is necessary for the County to carry out and pay the costs of implementation of the Permit mandates. The Auditor-Controller has reviewed this Department's fee calculations for Fiscal Year 2003-04 and has determined that the rates appear reasonable to recover the estimated costs of the Program.

Implementation of Strategic Plan Goals

This action is consistent with the County Strategic Plan Goal of Fiscal Responsibility as the proposed fees will generate sufficient funds to implement the Program. It also satisfies the goal of Service Excellence since protecting our streets, storm drains, rivers, streams, surface waters, and oceans from the discharge of pollutants improves the quality of life in the County and provides services which are beneficial and responsive.

FISCAL IMPACT/FINANCING

The proposed permit system and fees will enable this Department to implement the Permit mandates in the unincorporated areas of the County of Los Angeles and avoid an impact on the General Fund. The enclosed appropriation adjustment provides funding for two additional Waste Control Engineering Inspector positions for the remainder of Fiscal Year 2003-04 in the County Engineer General Fund Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Program aids in the protection of County streets, storm drains, rivers, streams, surface waters, and oceans from the discharge of pollutants in stormwater runoff from industrial and commercial facilities. Failure to implement the Program may increase the risk of pollutant discharges to waters of the County and may subject the County to fines and third-party lawsuits for failure to prevent such discharges.

To comply with the requirements of Sections 66016, 66018.(a), and 6062a. of the Government Code, the proposed fees may only be ordered after a public hearing. These Code Sections also require that notice of the hearing be mailed to all interested parties who file a written request for such and that notice be published two times in a newspaper of general circulation within a ten-day period with at least five intervening days. As of the filing date of this item, no valid written request was on file with Public Works nor in the Executive Office of the Board of Supervisors.

The public hearing will be held pursuant to Section 66018 of the Government Code. Notice of the time and place of the hearing will be published pursuant to Government Code Section 6062a. The Notice of Public Hearing is enclosed (Enclosure C).

The Auditor-Controller has reviewed and approved the calculations used to determine the costs associated with the proposed fees.

County Counsel has reviewed and approved the proposed Ordinance and Notice of Hearing as to form.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The mandated Program does not provide funding to recover the costs of implementing the Program. Proponents of industrial and commercial projects may be faced with delays in the approval of their projects if sufficient funding is not available to provide the resources necessary to process their applications. Timely review is critical to most new

The Honorable Board of Supervisors
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construction projects. The proposed Program and fees were presented to the public during an information meeting held on April 23, 2003. Public input from the meeting has been incorporated into the proposed Ordinance and no further objections have been received.

CONCLUSION

It is requested that two copies of the adopted Ordinance and two approved copies of the letter be returned to Public Works.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

CWS:cn
P:/epub/general/stormwater/SWOrdMarch3,2004

Enc. 3

cc: Chief Administrative Office
County Counsel

Enclosure B
Request for Appropriation Adjustment

COUNTY OF LOS ANGELES

DEPT'S.

REQUEST FOR APPROPRIATION ADJUSTMENT

NO.

DEPARTMENT OF PUBLIC WORKS

December 4, 2003

AUDITOR-CONTROLLER.

THE FOLLOWING APPROPRIATION ADJUSTMENT IS DEEMED NECESSARY BY THIS DEPARTMENT. WILL YOU PLEASE REPORT AS TO ACCOUNTING AND AVAILABLE BALANCES AND FORWARD TO THE CHIEF ADMINISTRATIVE OFFICER FOR HIS RECOMMENDATION OR ACTION.

ADJUSTMENT REQUESTED AND REASONS THEREFOR

FY 2003-044-VOTE BUDGET ADJUSTMENTSOURCES

Department of Public Works

Ind/Com SW Inspection Annual Fee (939B) - Class A

A01 - PW - 12800 - 939B - \$63,000

Ind/Com SW Inspection Annual Fee (939C) - Class B

A01 - PW - 12800 - 939C - \$41,000

Ind/Com SW Permit Fee (939D)

A01 - PW - 12800 - 939D - \$6,000

SW Sampling Fee (939E)

A01 - PW - 12800 - 939E - \$6,000

USES

Department of Public Works

Services and Supplies (2000)

A01 - PW - 12800 - 2000 - \$116,000


JUSTIFICATION

To increase Services and Supplies appropriation to provide funding for two additional Waste Control Engineering Inspector positions for the remainder of Fiscal Year 2003-04 in the County Engineer General Fund Budget. Funding for these services will come from fees charged for permits and inspections.



DONALD L. WOLFE, Assistant Director

CHIEF ADMINISTRATIVE OFFICER'S REPORT

REFERRED TO THE CHIEF ADMINISTRATIVE OFFICER FOR---	ACTION	APPROVED AS REQUESTED	AS REVISED
✓ RECOMMENDATION	Dec. 17, 2003	Robert L. Quereh	CHIEF ADMINISTRATIVE OFFICER
AUDITOR-CONTROLLER BY 	APPROVED (AS REVISED):		
NO. 162	DEC. 16, 2003	BOARD OF SUPERVISORS	BY
		DEPUTY COUNTY CLERK	

INSTRUCTION SHEET FOR PUBLISHING
LEGAL ADVERTISEMENTS

TO: Executive Officer-Clerk of the Board
Board of Supervisors
County of Los Angeles

FROM: Department of Public Works
Environmental Programs Division

**NOTICE OF HEARING
STORMWATER AND RUNOFF POLLUTION CONTROL PROGRAM FEES**

Publishing

Pursuant to Section 66018 of the California Government Code, prior to adopting an ordinance adopting a new fee, a local agency shall hold a public hearing. In accordance with Section 6062a of the California Government Code, the Executive Officer-Clerk of the Board shall publish notice of the hearing. Publication of the notice shall be for ten days in a newspaper regularly published once a week or more often. Two publications, with at least five days intervening between the dates of the first and last publication, not counting such publication dates are sufficient. The period of notice commences upon the first day of publication and terminates at the end of the tenth day, including therein the first day.

Forward five reprints of the attached advertisement to the County of Los Angeles Department of Public Works, Environmental Programs Division, P.O. Box 1460, Alhambra, California 91802-1460.

Should there be any questions regarding this matter, please contact Shari Afshari, of this office, at (626) 458-3500, Monday through Thursday, 7 a.m. to 5:30 p.m.

Attach

NOTICE OF HEARING
STORMWATER AND RUNOFF POLLUTION CONTROL PROGRAM FEES

Notice is hereby given that a fee analysis by the Director of Public Works has been filed with the Board of Supervisors of the County of Los Angeles recommending establishment of Stormwater and Runoff Pollution Control Program Fees.

Under the Federal Clean Water Act and the Porter-Cologne Water Quality Control Act, the County was issued National Pollutant Discharge Elimination System Permit No. CAS004001 for Municipal Storm Water and Urban Runoff Discharges within the County of Los Angeles. Under the Permit, the County is required to implement additional, new requirements to establish a Program of pollutant reduction and control measures at industrial and commercial facilities. No Federal or State funding is provided to implement these mandates of the Permit. The proposed Ordinance revises the County Stormwater and Runoff Pollution Control Ordinance to establish a regulatory Program and fees to accomplish the mandates of the Permit.

Tuesday, _____, 2004, at 9:30 a.m., in Room 381 of the Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012, is the time and place which has been fixed by the Board of Supervisors to consider this matter. Any person wishing to be heard on this matter may appear before the Board of Supervisors and show cause why the proposal should not be adopted.

For further information regarding this matter, please telephone Nardy Drew of the County of Los Angeles Department of Public Works, Environmental Programs Division, at (626) 458-3511, Monday through Thursday, 7 a.m. to 5:30 p.m.

Upon 72 hours notice, the County can provide program information and publications in alternate formats or make other accommodations for people with disabilities. In addition, documents are available at the Kenneth Hahn Hall of Administration in Los Angeles (500 West Temple Street), which is accessible to individuals with disabilities. To request accommodations ONLY, or for ADA information, please contact our ADA Coordinator at (626) 458-4081 or TTD (626) 282-7829, Monday through Thursday, 7 a.m. to 5:30 p.m.

Si, no entiende este anuncio o necesita mas informacion, por favor llamar a Nardy Drew del Departamento de Obras Publicas al (626) 458-3511, de lunes a jueves, 7 a.m. a 5:30 p.m.

P:\epub\general\stormwater\SWHearingNotice